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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Forty-fifth session

SUMMARY RECORD OF THE 495th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 6 October 1994, at 10 a.m.

Chairman: Mr. KAMAL (Pakistan)

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GE.94-04043 (95-95306/EXT)

The meeting was called to order at 10.20 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. NGENDAKUMANA (Observer for Burundi) said that he was sorry that for reasons of political time-tabling he had not been able to speak earlier. Following the assassination of Burundi's first democratically elected president the country had been stricken by a socio-political and humanitarian crisis unprecedented in its history. For example, during October and November 1993 alone, more than 50,000 people had been killed and more than 700,000 exiled to neighbouring countries, and the social and economic infrastructure had been shaken to its foundations. Today, a year after those events, the situation remained worrying: the country had in its territory 593,000 displaced persons and 200,000 Rwandese refugees, and 200,000 of its own nationals were still living as refugees, mainly in the United Republic of Tanzania and Zaire.

2. Two countries of origin, Burundi and Rwanda, and several countries of reception, mainly Burundi - for the reception of Rwandese refugees - and the United Republic of Tanzania and Zaire were today confronted with humanitarian, security and political-diplomatic problems connected with refugees. The Government of Burundi was aware of the seriousness of the situation and thought that Rwanda and the neighbouring countries in question, i.e. Burundi, Uganda, the United Republic of Tanzania and Zaire, should meet together in a clearly defined framework in order to seek comprehensive and lasting solutions. To that end Burundi endorsed the idea of an international conference on peace and security in the subregion organized by a tripartite partnership of Rwanda, the countries sheltering Rwandese refugees, and the international community. Rwanda should undertake to provide assurances of security for returnees and guarantee that they would be able quickly to regain possession of their property, and convince its neighbours and the international community that the returnees would be socially and politically reintegrated in order to avoid the risk of ethnic and political Balkanization. Burundi would itself undertake to provide guarantees for the Rwandese authorities to enable them to make contact with the Rwandese refugees and encourage them to return home. To that end it would invite the Rwandese authorities to meet the refugee leaders in their camps and facilitate all their movement. Burundi was ready to help with the technical preparations for the conference and, possibly, to host it.

3. His delegation paid a warm tribute to Mrs. Ogata, the High Commissioner for Refugees, for the active UNHCR presence in Burundi, and hoped to see UNHCR sponsor the international conference to which it had referred. It also paid a tribute to Mr. Lasso, the High Commissioner for Human Rights, for the active support which he had given to the Government and people of Burundi on several occasions. In conclusion it conveyed the regrets of the Burundi Government concerning the tragic death of the UNHCR staff member Mr. José and gave an assurance that the enquiries were being pursued.

4. Mr. SANHOUIDI (United Nations Volunteers), speaking on behalf of Ms. McSweeney, the Executive Coordinator of the United Nations Volunteers (UNV), said that during the past decade more than 2,000 UNV specialists had taken part in the humanitarian work of United Nations agencies and had also assisted UNHCR in all aspects of its refugee work - reception, protection, transit, repatriation and resettlement. Since less than three years ago, when UNV had acquired a humanitarian window, a close partnership had been established between

the two organizations. UNHCR was now the largest user of UNV specialists in the United Nations system. There were currently about a hundred specialists serving with UNHCR. UNHCR and UNV had established a mechanism for the rapid deployment of the specialists in emergency situations to complement the Office's personnel. The Memorandum of Understanding spelling out the operational modalities of that mechanism was being finalized.

5. The support of member States had been essential to the increased involvement of the United Nations Volunteers in emergency situations. Of special note were the contributions received from the Governments of Canada, the United States, Japan, Ireland, the United Kingdom and Sweden to finance the participation of UNV specialists in UNHCR activities in the former Yugoslavia and in Africa, in particular Rwanda.

6. Like UNHCR, UNV was convinced that a lasting solution to the refugee problem meant that the communities which had to receive the refugees on their return to their countries of origin must be able to absorb the shock of such a mass influx. The reintegration of returnees and the post-conflict recovery effort therefore required community-based assistance to promote independent development, confidence-building and respect for human rights. Within that context the United Nations Volunteers wanted to build closer links with UNHCR in quick impact projects in order to promote downstream participatory rehabilitation and sustainable human development.

7. In order to build on the experience of its community services workers who had served with UNHCR in the former Yugoslavia, UNV wanted to increase its cooperation with the Office in that field as a means of addressing the needs of vulnerable refugee women and children at the community level and restoring their confidence in the social institutions. UNV believed that the PARinAC process had a role to play in building the capacity of local NGOs and strengthening the local machinery of emergency response and preparedness.

8. In addition to participating in humanitarian relief operations, the United Nations Volunteers could be used to consolidate peace and restore confidence in the communities in question and to support the Office's efforts to promote national reconciliation. In Afghanistan, Cambodia, Laos, Somalia and in particular in the former Yugoslavia the UNV efforts to build peace and settle conflicts had taken various forms. Its specialists and other workers had tried to remove the obstacles to communication and participation, promote civic education, train local leaders in negotiation techniques, and involve the community in reconstruction projects in order to strengthen social cohesion.

9. The international community must urgently provide the necessary human and financial resources to ensure that humanitarian assistance rapidly achieved its goals at minimum cost and that the methods of aid delivery did not aggravate the problems or perpetuate dependence. Recourse to the United Nations Volunteers was a relatively inexpensive solution when measured against the returns. Through their work the Volunteers helped to meet the fundamental needs of millions of marginalized people.

10. Mr. de COURTEN (International Committee of the Red Cross) said that the innumerable victims of war, blind violence and hatred included many internally displaced persons. The magnitude of the phenomenon demanded the immediate adoption of concrete measures. Tragedies such as Rwanda, Liberia or

Afghanistan, which had forced thousands of men and women to abandon their homes, demonstrated the need for effective action to limit such mass exoduses and facilitate the return of displaced persons.

11. As civilians protected by international humanitarian law, displaced persons, whether victims of armed conflicts or other situations of violence, lay in fact at the heart of the mandate of the International Committee of the Red Cross (ICRC). Action to help displaced persons was an integral part of its basic work, equally as important as visits to prisoners, assistance to the war-wounded, relief for civilian populations, family reunification activities, etc.

12. ICRC constantly reminded belligerents that they had an obligation scrupulously to respect international humanitarian law. Such respect would undoubtedly lead to a reduction in the number of displaced persons and thus check the refugee flows. The application of humanitarian law would also help to improve the security of the civilian population and therefore encourage the return of displaced persons and refugees under acceptable conditions.

13. The repatriation of refugees and displaced persons was impossible without a guarantee of security. In that connection attention must be drawn to the devastating effects of landmines, to which refugees and displaced persons were particularly vulnerable. ICRC had repeatedly advocated a total prohibition on the use of antipersonnel mines.

14. Acting alone, the humanitarian organizations could hardly cope with the many problems resulting from such widespread violence. It was therefore necessary, more than ever before, for States to shoulder their responsibilities, in particular with respect to international humanitarian law.

15. The legal protection accorded to victims of armed conflicts extended to all categories of person without distinction, and thus included displaced persons. That gave grounds for doubting the appropriateness of a development of international law which would protect only displaced persons. Was the codification of protection which created different categories of conflict victim truly desirable? Would it not be better to step up the efforts to apply the existing law?

16. The universal nature of humanitarian law must be emphasized. A total of 185 States were parties to the Geneva Convention, 135 States were bound by the first additional protocol and 125 by the second protocol. The international community should therefore give priority to its efforts to secure better application of the existing law.

17. While the parties to a conflict were responsible for applying humanitarian law, humanitarian organizations must in turn consult each other on ways of improving the effectiveness of their field operations. In order to be truly effective, such consultations must deal with the clarification of the respective mandates of the organizations, so that their activities complemented each other, and with the independence of humanitarian action, a condition vital to the ability of the organizations to continue to work for all the victims.

18. ICRC had long advocated neutral and impartial humanitarian action, independent of the political and military activities of States. If effective humanitarian action was to be taken, States must not only create suitable

conditions but also respect a strict division of tasks. Any encroachment of political and military activities into humanitarian action led to confusion. Somalia and the former Yugoslavia had provided examples of the limits and dangers of such a mixture.

19. ICRC wished to emphasize the increasingly important role of NGOs. As a means of enhancing the effectiveness of all humanitarian workers, a code of conduct for disaster-relief organizations had been drawn up by the International Federation of Red Cross and Red Crescent Societies in consultation with various NGOs and with ICRC support. The ethical principles set out in the code should help to preserve the neutral and impartial nature of humanitarian action.

20. Mrs. ERAZO (International Council of Voluntary Agencies) said that the NGO statement which had been distributed to the members of the Executive Committee reflected not only the positions, proposals and recommendations of the members of the International Council of Voluntary Agencies (ICVA) but also those of a large number of NGOs with which it collaborated. She did not wish to review the many questions of substance dealt with in that document but simply to recapitulate the 10 priority points on which ICVA would like the Executive Committee to take a position at the current session.

21. Firstly, the Executive Committee should officially recognize the usefulness of the PARinAC process and undertake to furnish the necessary resources for the implementation of the Oslo Plan of Action. Secondly, in view of the increasing number of violations of the fundamental principles of the protection of and access to victims of conflict, the Executive Committee should reiterate its support for the protection instruments and its readiness to participate in the efforts to fill any gaps therein. Thirdly, the Executive Committee should reaffirm that refugee women and children should be given priority in policy and programming decisions. UNHCR and Governments must see to it that the guiding principles concerning refugee women and the revised guiding principles concerning refugee children were immediately implemented in their entirety. Fourthly, ICVA requested the Executive Committee to encourage the establishment by States of effective machinery of emergency preparedness, within the framework of the United Nations system. Fifthly, the Executive Committee should urge States to refrain from using the concept of "safe country" as a means of evading their obligations under the 1951 Convention and the 1967 Protocol. Sixthly, ICVA requested the Executive Committee to give its express support to the creation of a mechanism to verify that countries were indeed fulfilling their obligations under the Convention and the Protocol. Seventhly, the Committee should give its firm support to the necessary measures for achieving the goals of the international campaign for the prohibition of antipersonnel mines. Eighthly, ICVA invited the Executive Committee to make a closer study, together with the other parts of the international community, of the root causes of refugee flows and migratory movements. Ninthly, ICVA requested the Executive Committee to support the adoption by the General Assembly of an international convention on the safety of United Nations and related personnel participating in high-risk humanitarian or emergency operations. Lastly, ICVA requested the Executive Committee to encourage the establishment in the United Nations system of a coordination centre for internal displacement questions in order to ensure that displaced persons enjoyed effective protection and assistance.

22. In addition to those 10 priority points, the statement contained many other recommendations which she hoped the Executive Committee would be able to take into consideration. She drew its attention to paragraph 7.1 of the statement, in which ICVA requested to be allowed to participate in the work of the Sub-committee on International Protection and the Sub-committee on Administrative and Financial Matters.

23. Ms. MENDS-COLE (United Nations Development Fund for Women) noted with satisfaction that many delegations had mentioned the situation of refugee and displaced women and she expressed the hope that the attention given to that issue indicated a new approach and a desire to pay heed to all groups within assisted populations. If the aim was to address the special needs of women effectively and make full use of their capacities in emergency situations, women must be delinked from the other categories with which they were usually associated, i.e. children, the elderly and the disabled.

24. The evidence was incontrovertible that women faced special problems in emergency situations, in particular in armed conflicts. Rape was common, and the lack of gynaecological care and family planning services increased the incidence of unwanted pregnancies and of sexually transmitted diseases such as AIDS. But women also represented a strength which must be built upon. Despite the terrible difficulties, they continued in emergencies to carry out all the functions necessary to the survival of their families: preparation of food, health care, water supply, etc. The United Nations Development Fund for Women (UNIFEM) believed that the incorporation of gender perspectives in emergency operations could only increase their effectiveness. Women were a critical link and, unless vigorous action was taken to enable them to play an active part in repatriation and resettlement programmes and in the process of national reconciliation and the social reintegration of refugees, such initiatives would fail.

25. UNIFEM had carried out a pilot project in Ghana and Côte d'Ivoire to provide development-oriented assistance to Liberian women refugees. The project took into account the need for an integrated and holistic approach and provided women with health care, including gynaecological care and mental health counselling; they received training in basic skills such as construction, and a revolving fund had been set up to finance other income-generating activities. The aim of the project was to equip women to improve their living conditions while still in exile and to participate later in the rebuilding of Liberia by using the skills acquired.

26. Building on the experience gained in the project, UNIFEM had launched an umbrella programme called "African women in crises". It was designed to help women make their voices heard and join together in networks; it had already produced good results, for example the recent symposium in Kampala on the important role of women in conflict settlement and peacemaking, which had been attended by women from various war-torn countries of the Horn of Africa. Through the programme UNIFEM sought to collaborate with UNHCR and other United Nations organizations, with Governments and with international NGOs to bring gender concerns into the mainstream of refugee and displaced person operations.

27. Mrs. von BUCHWALD (Head of the Refugee and Displaced Persons Department of the International Federation of Red Cross and Red Crescent Societies) said that in 1993 the assistance provided by the International Federation to refugees and

displaced persons had reached 70% of its operations budget of some 400 million Swiss francs. The situation in Rwanda had demonstrated once again how easily a humanitarian tragedy could unfold in a matter of days. With generous donor support, in particular from the European Union, the Federation had coordinated the work of many national Red Cross and Red Crescent societies and had been able to mount a massive relief operation.

28. The Federation was concerned about the regional dimension of the Rwanda conflict and the sustainability of the present relief effort. The provision of humanitarian assistance must continue but must also become better adapted to the needs and the reality. The assistance provided inside Rwanda at present was far from adequate, and it was unacceptable that pressure should be put on refugees living in camps in neighbouring countries to prevent them from returning home. In contrast, the repatriation of refugees had accelerated in Mozambique and Myanmar, and the Federation hoped shortly to establish with UNHCR a programme of assistance to the most vulnerable refugees returning to Myanmar.

29. Protection was the core mandate of UNHCR. The high death toll of recent upheavals testified to the urgent need to ensure effective use of existing legal instruments both in the countries of origin and in the countries of asylum. The role of grassroots humanitarian organizations and their campaigns on the ground deserved more attention.

30. The Federation's secretariat and more than 40 of its member national societies had been represented at the PARinAC conference in Oslo in the summer. Like ICRC and some of the 162 national Red Cross and Red Crescent societies, the Federation was looking into ways of cooperating in PARinAC.

31. The international response to refugee crises was becoming increasingly complex, and the Federation and many of the leading NGOs had felt the need to have a clear statement of the standards of ethics and behaviour which should govern the provision of relief and services to refugees and other disaster victims. Such a statement already existed in the code of conduct for the international Red Cross and Red Crescent movement and NGOs in disaster relief. The code was sponsored by Caritas Internationalis, Catholic Relief Services, the Save the Children Alliance International, the Lutheran World Federation, Oxfam, the World Council of Churches and ICRC. It set out 10 fundamental principles of conduct for relief workers and described the environment which should be created by the Governments and intergovernmental organizations to make relief work more effective. It had been taken by several other organizations as the basis for improving their working relationships with NGOs and had been mentioned in documents of the Department of Humanitarian Affairs and UNICEF.

32. One of the points highlighted in the code was the need to reinforce local organizations in relief operations and preparedness. In that connection the Federation encouraged humanitarian organizations which had local outreach to look seriously at the investments necessary to equip the Federation with the capacities to deal with continuing and new refugee crises.

33. A number of delegations had referred to the need to streamline emergency assistance through the provision of self-contained specialized units which could be mobilized and placed at the disposal of UNHCR at short notice. Together with key national societies the Federation was planning standby arrangements for the provision of specialized modules for deployment in disasters and emergencies.

34. Mr. HUSSEINI (Islamic Republic of Iran), speaking in exercise of the right of reply following the statement made by the Iraqi delegation on the subject of the Iraqi refugees in Iran and the Iranian nationals living in Iraq, said that the Islamic Republic of Iran would welcome negotiations with the Government of Iraq about the problems of the Iranian and Iraqi refugees in the two countries, and that all the Iranian citizens who had left Iran during the war were free to return home, as 60,000 of their fellow citizens had done over the past two years, that Iran was ready to exchange delegations of experts to examine the problem in the two countries, and that the operation for the resettlement in Iran of some of the Iraqis who had taken refuge in Saudi Arabia had taken place at the request of the persons concerned, under UNHCR supervision and in accordance with the 1951 Convention.

35. The CHAIRMAN, summing up the work of the Executive Committee under agenda item 4, said that 77 delegations had spoken in what had been a stimulating discussion. In a year marked by the crisis in Rwanda and the massive refugee exodus which it had provoked, it was hardly surprising that many speakers had dwelt on the subject of emergency response. The question had also been posed as to whether UNHCR had reached the limits of its capacity. In fact, 10 themes had emerged from the debate.

36. First, there had been much discussion of innovative approaches in emergency responses to cope with the massive exodus from Rwanda. In particular, the concept of "service packages", whereby Governments had taken on the responsibility for different sectors of the operation, had received considerable attention. A number of delegations had underlined the need to use the lessons of the Rwanda emergency to improve the response capacity and relieve strains before the next crisis struck.

37. The importance of inter-agency cooperation had been a second major theme. Attention had been drawn to the need to develop standby arrangements with a larger number of collaborators so as to be able to respond rapidly at the onset of any emergency. Equal stress had been placed on the need to link relief to development. At the same time it would be necessary to improve the response capacity of other agencies, in addition to UNHCR, so that they would be able to address effectively such problems as clearance of landmines, demobilization, and the resettlement of displaced persons. Tributes had been paid to the close working relationship developed between UNHCR and WFP, but greater coordination with a wide range of other agencies was required in order to enhance the emergency response capacity and achieve a continuum from relief to development. In order to meet rehabilitation needs, it was thought that it would be particularly useful to involve the Bretton Woods institutions. In order to bridge the gaps and correct the imbalances in the United Nations system as a whole, one delegation had suggested the convening of a joint informal meeting of the governing bodies of WFP, UNICEF, UNDP and UNHCR during the session of the Economic and Social Council in July 1995. Several delegations had stressed the need to strengthen the roles of the Inter-Agency Standing Committee and its Working Group.

38. Thirdly, many delegations had welcomed the efforts made by UNHCR to increase it collaboration with NGOs. PARinAC was seen to have played a positive role in that connection, but it was important to ensure practical implementation of its recommendations.

39. Fourthly, humanitarian action must be supplemented by comprehensive regional approaches, in particular in the former Soviet Union. In that context the achievements of CIREFCA in Central America had been welcomed, and a number of delegations had stressed the need to strengthen the OAU prevention and response capacity.

40. A fifth theme widely discussed had been the protection of refugees and in particular of their temporary protection in armed conflicts. Some delegations had advocated a pragmatic case-by-case approach, while others had seen the need to draw up a set of non-binding guiding principles. Several delegations had expressed the view that temporary protection might lead to a lowering of the standards of protection in general. However, the importance of the 1951 Convention as the cornerstone of international protection had been stressed.

41. Sixthly, a number of delegations had argued that internally displaced persons often had just as urgent a need for protection and assistance as refugees. The involvement of UNHCR with such persons on a case-by-case basis at the request of the Secretary-General had been broadly welcomed.

42. Seventhly, much attention had been given to the needs of refugee women and children and to the importance of improved implementation of the UNHCR guidelines, as well as to the need for better protection of refugee women against sexual violence and for food distribution to be conducted through them.

43. An eighth theme was that voluntary repatriation remained the best solution to the refugee problem. Attention had been drawn to the need to monitor the situation of returnees more closely and to deploy human rights monitors to keep watch on the situation of voluntary returnees once a conflict had ended. He welcomed the forthcoming signature of a Memorandum of Understanding between UNHCR and the High Commissioner for Human Rights on the establishment of a framework for cooperation both in preventive action and in emergency situations.

44. The ninth theme had been the heavy burden placed on asylum countries by the massive presence of refugees. Neglect of the local people could lead in fact to tensions and a breakdown of tolerance. Particular emphasis had been placed on the environmental damage caused by large concentrations of refugees. A number of host countries had made urgent appeals in that respect.

45. Lastly, with regard to administrative matters many delegations had welcomed the High Commissioner's efforts to strengthen her management tools, notably by establishing an enhanced inspection and evaluation capacity. On the UNHCR budgets, several delegations had expressed their discomfort with a situation in which the Executive Committee approved only the general programmes, which today represented merely a third of the total budget. It was thought that the Sub-committee on Administrative and Financial Matters should review the relationship between the general and special programmes with a view to a more rational arrangement. A number of delegations had asked UNHCR to put forward proposals in that respect.

PROGRAMMES, ADMINISTRATION AND FINANCE (agenda item 5)

(a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1993-1994 AND OF THE PROPOSED PROGRAMMES AND BUDGETS FOR 1995

(b) STATE OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1994 AND 1995

(c) ADMINISTRATION AND MANAGEMENT

(d) ADOPTION OF THE 1995 GENERAL PROGRAMMES (A/AC.96/824, A/AC.96/825 (Parts I to IV), A/AC.96/828, A/AC.96/829, A/AC.96/833 and Add.1, A/AC.96/834, A/AC.96/838, EC/1994/SC.2/CRP.25 and EC/1994/SC.2/CRP.26)

46. Mr. WALZER (Deputy High Commissioner) said that any consideration of agenda item 5, which concerned mainly administration and finance, must focus on the adoption of the report of the Sub-committee on Administrative and Financial Matters and of the general programmes and budget for 1995. The question of the relationship between general and special programmes, i.e. whether to maintain a distinction between the two categories of programme, and the related question of the current financial machinery would be the topics of a detailed debate at a future intercessional meeting of the Sub-committee. In that connection, the machinery for funding emergency responses should be retained and, if possible, strengthened. It was reassuring that member States addressed all financial and budgetary matters without any preconceived ideas.

47. In paragraphs 270 to 273 of document A/AC.96/824 the Sub-committee proposed that the Executive Committee should approve the revised appropriation under the general programmes for 1994, which remained at $US 418,523,000, and the appropriation requested under general programmes for 1995 amounting to $US 415,413,000 (see the eighth column in annex I of the document). The amount of about $US 1.1 billion mentioned in the forecasts for all the general and special programmes for 1995 had been calculated on the basis of known needs and would be revised later in the light of developments in the refugee problem and any measures which needed to be taken to comply with the order of priorities which the Executive Committee would have established. The Sub-committee's report reflected the conclusions of the exchanges of views on the administration of assistance, management and related issues.

48. He drew attention to other matters having considerable implications for UNHCR programmes. The Sub-committee had considered at length the establishment of an inspection and evaluation service and had come out in favour of the move. Such a service would provide the High Commissioner with a particularly suitable instrument for monitoring the UNHCR field operations in particular and making any changes needed in programmes in order to enhance their effectiveness. If the service was established, UNHCR would keep the Executive Committee regularly informed about its activities and its relations with the Office's other internal monitoring machinery and with the internal oversight service recently created in the United Nations.

49. The question of the safety of UNHCR staff was also very important. The High Commissioner had noted with satisfaction the responses of some delegations

to her stated concerns in that area and the support which they had shown for the draft international convention on the safety of United Nations and related personnel.

50. The Sub-committee had also examined closely the question of UNHCR collaboration with its partners. The PARinAC initiative illustrated the importance which the Office attached to such collaboration, in particular with NGOs. The process should be monitored very closely. The Sub-committee had also taken action to follow up the recommendations contained in the report of the Board of Auditors. The Executive Committee would be kept informed about the progress made in that regard.

51. As the Sub-committee indicated in its report, the humanitarian response in Rwanda had provided an opportunity for using innovative approaches, forging new relationships and taking up new challenges. UNHCR welcomed and gave its unreserved support to the proposals made in the Executive Committee about the need to study the lessons of that experience. That would make a useful contribution to the consideration of the matters which the Sub-committee had highlighted. In conclusion he wished to thank both the asylum countries and the donor countries for their generosity, and indeed the implementing partners.

52. The CHAIRMAN said that, unless he heard any objections, he would take it that the Executive Committee adopted the report of the Sub-committee on Administrative and Financial Matters contained in document A/AC.96/838.

53. It was so decided.

54. Mr. MACRIS (Observer for Cyprus) said that his delegation supported the High Commissioner's idea of launching an agenda for humanitarian action to complement an Agenda for Peace and an Agenda for Development. Cyprus was one of the countries where UNHCR had been involved for a long time. On 20 August 1974 the Secretary-General had commissioned UNHCR to coordinate humanitarian assistance to Cyprus following the Turkish invasion and occupation of 37% of the island's territory, which had resulted in the displacement of 265,000 people. The UNHCR programme in Cyprus was at present financed by an annual grant of $US 10 million generously made by the Government of the United States, to which the Government and people of Cyprus were profoundly grateful. In 1974 the programme had been designed to help the displaced persons and alleviate their sufferings. In 1993 it had included projects concerning the two communities in Cyprus with a view to encouraging cooperation between them.

55. Despite the many problems caused by the displacement of a third of its population, Cyprus was assisting refugees from third countries and persons covered by the UNHCR mandate under the various relevant international instruments. It had unfailingly discharged its humanitarian obligations towards refugees from the war-torn countries of the Middle East, in close collaboration with UNHCR. It had also responded favourably to the Office's appeals to States for voluntary contributions.

56. There were currently more than 20 million refugees in the world and an even larger number of displaced persons. Displacement, wherever it occurred, had an impact on both domestic and international relations, as well as being a source of instability and a threat to security. The numbers of refugees and displaced persons could only increase unless urgent measures were taken to put

an end to the violations of human rights and in particular to the practices which had rightly been condemned by the international community. The right of everyone to voluntary repatriation in safety and dignity and the right to remain in peace in his or her home must be reaffirmed and effectively guaranteed. The double standards applied to different perpetrators of human rights violations for reasons of geopolitical expediency were unacceptable.

57. The Cypriot delegation wished in conclusion to pay a tribute to the High Commissioner and her dedicated staff and in particular to the field workers who had lost or were risking their lives every day in the performance of their duties. It also wished to thank the head of the Regional Bureau for South-West Asia, North Africa and the Middle East and the UNHCR staff involved in activities related to Cyprus. UNHCR could count on Cyprus's cooperation in its work.

58. Mr. MAJDI (Morocco) said that his delegation had repeatedly emphasized the importance of improving the systems and procedures for evaluation of UNHCR programmes in order to verify the effectiveness and profitability of the activities designed to make refugees self-sufficient. Once again the Moroccan delegation rejected the figure of 165,000 so-called "Saharan" refugees mentioned in part V.3 of document A/AC.96/825. According to the very detailed estimates of the United Nations Mission for the Referendum in Western Sahara (MINURSO), the number of such refugees, including children, did not exceed 65,000. According to reliable, neutral and impartial sources, the figure might be even lower. The Moroccan delegation noted that the figure of 165,000 had never been endorsed by UNHCR and could not therefore be used as the basis for assessment of the needs.

59. Furthermore, paragraph 13 of the same document stated that delays in despatch of assistance remained one of the main problems and that the planned implementation of programmes in various sectors suffered as a result. The Moroccan delegation would like the representatives of UNHCR to offer some explanation on that matter, especially since according to the information given by the Saharans who continued to flood into Morocco, the people held in the camps in question were living in deplorable conditions, and that included the humanitarian situation.

60. Mr. MARTINEZ (Spain) said that the process resulting from the International Conference on Central American Refugees (CIREFCA) ought to serve as a model and as the basis for discussion of how to cope with other crises in the world. Spain supported all the comments made on that point in document A/AC.96/831 submitted by the High Commissioner. The CIREFCA process was based on a number of complementary and interdependent elements. The just and lasting settlement of the problem of refugees and displaced persons was fundamental. It involved the gradual reintegration of the persons concerned in the economic and social life of their countries and the restoration of peace and national reconciliation, and it was impossible unless the conditions for the resumption of economic and social development were met and respect for human rights guaranteed.

61. The part played by the Governments of the Central American countries in the resolution of the crises confronting them was one of the main reasons for the success of the CIREFCA process, in which UNHCR had also acted as a driving force. The efforts to integrate women in general and indigenous women in

particular had been another important factor. In the next phase the lessons of the experience gained and the results achieved would have to be put to use in the start-up of concrete actions in individual countries and priority areas.

62. However, the successes must not cause anyone to forget that difficulties and problems remained, especially in Guatemala, and that the Executive Committee must take them into account in the decisions adopted at the present session. The agreement concluded in June 1994 for the reintegration of uprooted persons would help to strengthen the peace and democracy to which CIREFCA had contributed. The deployment of the United Nations human rights verification mission in Guatemala would also mark a positive step along that road.

63. Both in Central America and in other crisis-torn regions emphasis must be given to the following key factors: fight against poverty, integration of uprooted people, strengthening of structures based on participation, creation of self-financing production structures, support for NGOs as leading partners, determination of the zones requiring priority action, strengthening of municipal structures, integrated rural development and promotion of the cooperative movement, use of quick impact projects, and provision of technical assistance for censuses, documentation and elections and in legal and institutional matters.

64. Recalling what the representative of UNDP had said, he observed that the conclusion of the CIREFCA process must not prevent the continuation of the collaboration within new parameters and with the support of the donor community, NGOs and United Nations agencies and programmes in their respective spheres of competence.

65. In accordance with the usual practice, the Chairman invited the Chairman of the UNHCR Staff Council to address the Executive Committee.

66. Mr. ISHAK (Chairman of the UNHCR Staff Council) thanked the Chairman for having invited the participants to observe a minute of silence at the opening meeting of the present session in tribute to the memory of the UNHCR staff and other humanitarian workers who had given their lives in the line of duty since the previous session. It was to be hoped that a similar expression of sympathy would not be necessary at future sessions of the Executive Committee; the Staff Council urged Governments to do everything possible to ensure the safety of United Nations personnel. When UNHCR sent staff to areas where government control was inadequate or non-existent, it was incumbent both on the United Nations and on the UNHCR management to take all necessary and reasonable measures to keep the staff safe from harm. The future international convention on the safety of United Nations and related personnel, currently under consideration by the General Assembly, should apply to UNHCR staff as well as to the so-called "agency staff" which UNHCR deployed in many of its operations.

67. In April a UNHCR staff member had been shot dead while alighting from a helicopter near a refugee camp in western Somalia; a few days later, a message had been received from other UNHCR staff members trapped by shellfire in the UNHCR office in the Bosnian town of Gorazde. Angered by the situation, the UNHCR management and Staff Council had jointly decided to organize a silent demonstration to condemn the political indifference towards the killing of humanitarian workers and the attacks of which they were the target. The entire headquarters staff had taken to the street to protest against the apathy of

political leaders and to express its anger at similar acts committed against innocent civilians in many parts of the world. That unprecedented demonstration had been spontaneously supported by almost all the other international and humanitarian institutions in Geneva. Although away from headquarters, the High Commissioner had supported the initiative, as had the Secretary-General of the United Nations. At the same time UNHCR staff in all its offices throughout the world had organized symbolic silent protests and had sent the same message to political leaders in their duty countries. Many Government representatives had also joined the UNHCR staff in the street and participated in the demonstration, thus turning the event into a unique expression of solidarity.

68. Attention must be drawn to another example of the unmatched dedication of UNHCR staff. When it had finally been decided to send peace-keepers to Rwanda, hundreds of staff members had fearlessly responded and volunteered to serve in the emergency operations in that country. But since it had not been possible for everyone to go, in response to an appeal by the Staff Council staff members had donated one day's salary to alleviate the misery of the Rwandese refugees. The Staff Council had decided to pass the approximately 150,000 Swiss francs collected to UNHCR to finance assistance for Rwandese refugee children who had lost their families. An innovative project had been designed for that purpose: one or several community centres would be established in Goma to help to integrate the children into the community using a family-based approach. The project would serve as a model for various NGOs and other humanitarian agencies and would stand as a symbol of the solidarity of UNHCR staff and its exemplary devotion to the cause of refugees.

69. Much progress had been made on staff issues under the new leadership of the Division of Human Resources Management. For example, the Joint Advisory Committee had completed a comprehensive review of the policies and procedures for the appointment, posting and promotion of staff in both Professional and General Service categories. The High Commissioner had promulgated new regulations, under which nearly 400 staff members had been promoted and several hundred had been offered longer-term or indefinite appointments or had been reclassified from category L (project personnel) to category P (Professional).

70. On the recommendation of the Joint Advisory Committee the High Commissioner had decided that from 1995 the authority to appoint and promote local staff would be delegated to the field offices. Decisions of that kind had in the past been taken by the High Commissioner on the basis of the recommendations of a joint staff/management committee based at headquarters; in a field-oriented organization with more than 60% of its staff recruited locally, such procedures were inefficient.

71. The Director of the Division of Human Resources Management had also recently delegated to the field offices the administration of reimbursement claims under medical insurance, a measure which addressed a long-standing problem faced by all field staff, who up till now had suffered significant financial losses as a result of exchange-rate variations between the time when the medical expenditure was made and its reimbursement.

72. Another tangible achievement had been the launching of the UNHCR career management service, which was the result of the efforts made over three or four years to enhance the effectiveness of UNHCR in the discharge of its mandate while ensuring that staff at all levels had opportunities for satisfying and

rewarding careers. By enabling the Office to equip itself with a versatile, mobile and innovative staff the new system would provide it with the means to enhance the effectiveness of the services for refugees. The career management service was based on a recognition that people were the critical element in the success of UNHCR and that key personnel policies, such as performance appraisal, should facilitate the development of the staff's potential.

73. Staff members were currently involved in the most burning humanitarian problems and were serving refugees under circumstances from which they would once have been evacuated. Day-to-day developments tended to impose changes and require immediate and innovative action by UNHCR and, most importantly, by the staff on the ground. In such circumstances it was understandably difficult to stand back, reflect, analyze and identify the options; the staff had thus been pleased to hear the High Commissioner emphasize in her statement the need both for a "think-tank" or a policy planning function and for monitoring of the quality of management. The aim must be to strengthen further the policy formulation process and effectively link UNHCR action to the global strategy for international peace and security and economic and social development. The staff stood ready to make its contribution to that deliberative process, and it was the duty of the democratically elected staff representatives to express staff members' views not only on the conditions of service but also on management initiatives which might directly or indirectly affect them, regardless of whether such views coincided with those of the management. In the past the input and opinions of the staff had proven to be of great importance, particularly when major changes and restructuring were necessary.

74. In that spirit he wished to share with the Executive Committee some of the thoughts of the Staff Council. The Council had questioned whether the present personnel structure, which dated back to the time when UNHCR had been a small organization with a limited mandate, enabled the Office to respond fully and effectively to the mammoth challenges of today. It now had a record number of 4,800 staff and an annual budget of well over a billion dollars. In comparison with other United Nations and international bodies, which were much less field-oriented, it could readily be seen that UNHCR field posts were seriously under-graded. Reclassification of all posts under a properly conducted procedure therefore seemed an urgent necessity.

75. Turning back to the Rwanda crisis, he said that UNHCR and the whole world could draw several useful lessons and raise a number of questions. From the staff perspective, the main issues which must be systematically addressed at the stage of laying out an emergency response plan were staff security, reliable means of communication, methods of mobilisation of staffing resources, and arrangements to facilitate staff counselling and representation. UNHCR could take the lead in determining the necessary strategies, at least as far as improvement of field service conditions was concerned. The Staff Council recognized that the Executive Committee had consistently supported the Office's efforts to achieve that objective. On the question of telecommunications it was important that no staff member should be sent to the field without any reliable means of communication, for both professional and security reasons. The concerns stated by the Advisory Committee on Administrative and Budgetary Questions (ACABQ) concerning the UNHCR initiative to establish a satellite network, which had been raised at the session of the Sub-committee on

Administrative and Financial Matters, were therefore surprising. The Staff Council hoped that everything possible would be done to meet those concerns and that the project would be implemented without delay.

76. At the same meeting of the Sub-committee one delegation had commented on the staffing of emergency operations, saying amongst other things that it did not make sense to take secretaries from Geneva to far-off emergency locations. The point was a very valid one, and it should be added that other human resources required in emergencies, such as doctors, nurses, water specialists, etc., were sometimes available in the countries where the refugees were located. The international community should be innovative and develop regional emergency response capacities, for example in areas where ethnic tensions were seething. UNHCR, for its part, might reflect on how best to use such capacities and improve the geographical balance of its core staff, taking into consideration the operational needs, particularly the need for women staff.

77. There were other issues which would have to be taken up in the management/staff consultations, including the establishment of the new inspection and evaluation service and the powers of the mediator's office. The establishment of an adequate staff counselling service and the status of staff counsellors were other important matters which would have to be considered in the near future. On the question of the relocation of UNHCR headquarters, which had been deferred for the third time at least, the management had taken a number of decisions without consultation or without adequate study of their implications for staff welfare and performance. The Joint Advisory Committee would have to take up some aspects of that question.

78. The CHAIRMAN invited the Deputy High Commissioner to respond to the questions raised under agenda item 5.

79. Mr. WALZER (Deputy High Commissioner) said in answer to the question raised by the Moroccan delegation that the statistics on the number of refugees which appeared in the documents were based on information provided by Governments and that assistance was furnished only to persons in need, once the exact needs had been established. Delays in implementation had mainly logistical causes; programme implementation was permanently monitored by the Governments of the host countries, UNHCR staff and the other actors involved, and changes were made in the light of the actual implementation rate. Any additional information needed could be given in private talks between UNHCR and Morocco.

80. Turning to the statement by the representative of Spain, he said that the Office wished to thank Spain for the assistance which it had already given in the CIREFCA process, which was to be completed by the end of the year. UNHCR was perfectly ready to continue to collaborate with the other competent United Nations agencies in order to ensure the success of the post-CIREFCA period. As for Guatemala, the Office would continue to work in concert with the authorities to ensure that the repatriation operations and assistance programmes for the returnees enjoyed similar attention during the coming period.

81. The CHAIRMAN invited the Executive Committee to adopt the proposals concerning programmes, administration and finance contained in paragraphs 270 to 273 of document A/AC.96/824. If there was no objection, he would take it that the Executive Committee adopted the proposals.

It was so decided.

The meeting rose at 12.45 p.m.